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DATE: January 12, 2007

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FROM: Randall K. McCarthy, Registration No. 39,297

TO: Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

ADDRESSEE/ORGANIZATION	FAX NO.	TELEPHONE NO.
Art Group 2116	571/273-8300	571/272-4100

RE: Application No. 10/606,090  
In re application of: Wayne L. Felts  
Assignee: SEAGATE TECHNOLOGY LLC  
Dkt. No.: STL11280

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PATENT  
Dkt. STL11280

Transmission by Facsimile on January 12, 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wayne L. Felts  
Assignee: SEAGATE TECHNOLOGY LLC  
Application No.: 10/606,090 Group No.: 2116  
Filed: June 26, 2003 Examiner: James Trujillo  
For: TRANSITIONING FROM STARTUP CODE TO APPLICATION CODE DURING  
INITIALIZATION OF A PROCESSOR BASED DRIVE

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed December 19, 2006, for a second time rejecting claims 1-20.

## 1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Notice of Appeal is:

Notice of Appeal fee due for other than small entity \$500.00

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being:

## TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date: January 12, 2007

Diana C. Anderson  
Signature

Diana C. Anderson

(type or print name of person certifying)

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3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$500.00  
TOTAL FEE DUE \$500.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$500.00 to credit card as shown on the attached credit card information authorization form PTO-2038.

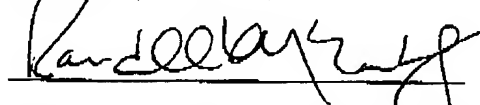
Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 06-0540.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 06-0540.

Date: 1/12/07

Respectfully submitted,



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